REMARKS

In view of the above amendments and the following remarks, reconsideration of the rejections and objections, and further examination are requested.

Claims 1-26 are pending in this application. Claims 1-26 stand rejected. Claims 1, 5-13 and 23-26 are amended herein. Claims 2, 3, 14-16, and 19 are cancelled herein. No new matter has been added.

The specification and abstract have been reviewed and revised to make a number of editorial revisions. No new matter has been added.

The Examiner objects to the abstract of the disclosure because the abstract exceeds 150 words. Moreover, the Examiner asserts that the abstract contains references to figures such as "input Section 11" and "anticipating Section 13". The abstract has been revised to contain less than 150 words and to remove all reference numbers. No new matter has been added by these revisions.

For the reasons set forth above, the Applicant respectfully requests that the abstract objections be withdrawn.

The Examiner objects to the disclosure and asserts that the foreign priority information should be referenced in the first sentence of the specification following the title. Further, the Examiner asserts that "predetermined operation" is a term in the claims that is not sufficiently described in the specification. Specifically, the Examiner asserts that it is unclear if a "predetermined operation" is equivalent to an "anticipated operation".

Regarding referencing the foreign priority information in the first sentence of the specification, 37 C.F.R. § 1.78(a)(2)(i) indicates that except for continued prosecution applications filed under § 1.53d, any nonprovisional application or international application designated in the United States of America claiming the benefit of one or more prior-filed copending nonprovisional applications or international applications designating the United States of America must contain or be amended to contain a reference to each such prior-filed application, identifying it by application number or international application number and international filing date indicating the relationship of the application. 37 C.F.R. § 1.78 applies to

benefit claims under 35 U.S.C. § 120, 121 and 365(c). The current application claims priority to Japanese application No. 2002-296230 under Title 35 U.S.C. § 119, as foreign priority. Consequently, because this application does not claim priority under 35 U.S.C. § 120, 121 or 365(c), the Applicant is not required to provide a reference to the foreign priority document in the first sentence of the specification.

Regarding "predetermined operation", paragraph 43, lines 3-15, describe in part, "...a specific operation which is previously determined...." As recited in claim 20, a "predetermined operation" is not equivalent to an anticipated operation, and instead is a specific operation that allows performing operation anticipation with respect only to an operation relating to a setting or performance of the information terminal device, such as application start-up or performance setting of the information terminal device. Thus, "predetermined operation" as recited in claim 20 is the "specific operation" discussed in paragraph 43.

For the reasons set forth above, the Applicant respectfully requests that the specification objections be withdrawn.

The Examiner objects to the claims because the language "by the operation anticipating section" as recited in claims 1-3 and 24 is not necessary. The Examiner also suggests inserting -- is -- between "information classified" on lines 18-19 of claim 5. Applicant has amended claims 1-3 and 24 as suggested by the Examiner. However, because inserting the word --is -- between "information classified" on lines 18-19 of claim 5 does not appear to be grammatically correct, Applicant has not amended claim 5 as suggested by the Examiner.

For at least the reasons set forth above, Applicant respectfully requests withdrawal of the claim objections.

Claims 1-26 are rejected under 35 U.S.C. § 101 as being directed to non-statutory subject matter.

Regarding claims 1-26, the Examiner asserts that claims receiving data and anticipating result without a tangible medium or final result are non-statutory. More specifically, the Examiner asserts that claims 1-22 and 25-26 lack a tangible medium, and that to accomplish

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"usefulness" the claims can be displayed. Without intending to acquiesce to this rejection, claims 1 and 23-26 have been amended to recite that a notification is provided to the user.

For the reasons set forth above, Applicant respectfully requests that the 35 U.S.C. § 101 rejection of claims 1-26 be withdrawn.

Claims 1-26 are rejected under 35 U.S.C. § 102(b) as being anticipated by Luciw et al. (U.S. Patent No. 5,390,281) (hereinafter referred to as "Luciw").

Claims 1 and 23-26 have been amended to further distinguish the present invention, as recited therein, from the references relied upon in the above mentioned rejection.

Further, claims 5-13 have been amended so as to make a number of editorial revisions thereto. These revisions have been made to place the claims in better U.S. form. None of these amendments have been made to narrow the scope of protection of the claims, or to address issues related to patentability, and therefore, these amendments should not be construed as limiting the scope of equivalence of the claim features offered by the Doctrine of Equivalents.

The above-mentioned rejection is submitted to be inapplicable to the amended claims for the following reasons:

Claim 1 is patentable over Luciw, because claim 1 recites an information terminal device for executing, based on an operation input by a user, a function corresponding to the operation, comprising, in part, an anticipated operation supporting section for comparing an actual next operation, which is newly input from the input section after the operation anticipating section has anticipated the next operation, with the anticipated next operation, and providing the user with a notification when the anticipated next operation is different from the actual next operation.

In contrast, Luciw describes a method or process that uses a significant observation about a new event for deducing user intent and providing computer implemented services. Upon identifying a significant observation about a new event, the process attempts to recognize a possible intent. If a possible intent is recognized from the new event, an actual intent of the user is hypothesized. The hypothesized user intent is executed if such factors as whether all preconditions to execution have been met, and whether the user requires confirmation prior to

execution. The hypothesized user intent is not executed if a non-continuable or fatal exception occurs.

Once a new event has occurred, it is matched against one or more entries in a knowledge base. As used in Luciw, the term knowledge base refers to a collection of specialized databases having entries corresponding to significant events. When there is a match into the knowledge base of an event (such as by a word, pattern, shape, or opportunity) then a significant event has occurred. A significant object set corresponding to the significant event is determined and is matched against a number of task templates. The significant objects in the significant object set are matched against precondition slots for each task type. The match of any significant observation into any precondition slot results in at least a partial match to the set of templates. Analogous types of templates can be used for other significant object sets. A confirmation requirement can be set by the user for various services depending upon the user's level of confidence that the system will perform correctly. If confirmation is required, the user is asked if the service should be executed.

Because Luciw compares a most recently inputted operation with a template stored in a database in order to anticipate a next operation, Luciw does <u>not</u> compare the anticipated next operation with <u>an operation inputted by a user after the anticipation is made</u>. The method of Luciw does <u>not</u> compare <u>an anticipated next operation</u> with <u>an actual next operation</u> inputted by a user after the anticipation of the next operation is made. Moreover, there is no disclosure in Luciw that an anticipated next operation be compared with an actual next operation inputted by a user after the anticipation of the next operation is made. In other words, Luciw does not compare an anticipated next operation with an actual next operation inputted by a user after the anticipation of the next operation is made.

For the above reasons, it is believed clear that claim 1 is not anticipated by Luciw. Further, it is submitted that there is no teaching or suggestion in the prior art of record that would have caused one of ordinary skill in the art at the time the invention was made to modify Luciw in such a manner as to result in, or otherwise render obvious, the invention of claim 1.

Therefore, it is submitted that claims 1, 4-13, 17, 18, and 20-22 are clearly allowable over the prior art of record.

In the Office Action, the Examiner cited column 7, lines 5-16 of Luciw, in which steps 68 and 70 of Figure 3 and others are described. However, the Examiner's citation merely describes that the anticipated operation is not performed when the anticipated operation is not an operation desired by the user. It appears here that the operation desired by the user is not inputted by the user in real time but is stored in advance in a knowledge base.

Further, a notification to the user, which is described in column 14, line 59 to column 15, line 7 of Luciw, is performed in order to allow the user to confirm an anticipation result because the anticipation of the next operation is not 100% accurate. It appears that in the notification, the anticipated next operation is simply presented to the user (whether the anticipation is correct or not) in accordance with an initial setting for whether or not the user confirmation is performed. Thus, unlike the present invention, Luciw does not disclose such a technique as to compare an actual operation inputted by the user with a previously anticipated operation, and perform user notification when the compared operations are different.

As described above, the features of the present invention as claimed in amended claim 1, i.e., "comparing an actual next operation, which is newly imputed from...when the anticipated next operation" and "providing the user with a notification when the anticipated next operation is different from the actual next operation", are neither disclosed nor suggested by Luciw.

Regarding claims 23-26, they are patentable over the reference relied upon in the rejections for reasons similar to those set forth above in support of claim 1. That is, claims 23-26 each similarly recite, in part, an anticipated operation supporting section for comparing an actual next operation, which is newly input from the input section after the operation anticipating section has anticipated the next operation, with the anticipated next operation, and providing the user with a notification when the anticipated next operation is different from the actual next operation. These features are neither disclosed nor suggested by the cited reference.

Because of the above mentioned distinctions, it is believed clear that claims 1, 4-13, 17, 18, and 20-26 are patentable over the reference relied upon in the rejection. Further, it is

submitted that there is no teaching or suggestion in the prior art of record that would have caused the ordinary artisan to modify Luciw in such a manner as to result in, or otherwise render obvious, the invention of claims 1, 4-13, 17, 18 and 20-26. Therefore, it is submitted that claims 1, 4-13, 17, 18 and 20-26 are clearly allowable over the prior art of record.

In view of the foregoing amendments remarks, all the claims now active in this application are believed to be in condition for allowance. Reconsideration and favorable action is respectfully solicited.

Should the Examiner believe there are any remaining issues that must be resolved before this application can be pass to issue, it is respectfully requested that the Examiner contact the undersigned by telephone in order to resolve such issue.

Respectfully submitted,

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